

## LEGISLATIVE INTERIM COMMITTEES -- OCTOBER 2018

LAW ENFORCEMENT AND CRIMINAL JUSTICE	
<b>Bill Title/Subject Matter:</b>	<b>Identification Request Amendments</b>
Legislator(s) –Sponsor:	Sen. Karen Mayne
Interested Parties:	
Code Reference:	2019FL-0211/004
<p><b>Description:</b> Sen. Mayne mentioned law enforcement came to her with concerns on identification request. Sen. Mayne briefly presented language from a draft bill that allows law enforcement to request name, address, and birth date for identification purposes.</p> <p><b>Meeting Materials:</b></p> <ul style="list-style-type: none"> <li>• <a href="#">2019 Draft Legislation – Identification Request Amendments – Sen. Mayne</a></li> </ul> <p><b>Audio:</b></p> <ul style="list-style-type: none"> <li>• <a href="#">Identification Request Amendments</a></li> </ul> <p><i>[Action: Rep. Ray made a motion to approve the draft legislation as a committee bill. PASSED unanimously.]</i></p>	
<b>Bill Title/Subject Matter:</b>	<b>Fraudulent Drug Testing Amendments</b>
Legislator(s) –Sponsor:	Rep. Steve Eliason
Interested Parties:	
Code Reference:	2019FL-0092/009
<p><b>Description:</b> Rep. Perry, on Rep. Eliason’s behalf, reviewed draft legislation that addresses fraudulent drug testing. <i>(As discussed in last interim meeting, the amendments will make it an offense to distribute, possess, sell, or use an adulterant to defraud an alcohol or drug test; and make it an offense to defraud an alcohol or drug test using bodily fluid of another person or bodily fluid expelled or withdrawn before the test. Adds a new class B misdemeanor.)</i></p> <p><b>Meeting Materials:</b></p> <ul style="list-style-type: none"> <li>• <a href="#">2019 Draft Legislation - Fraudulent Drug Testing Amendments - Rep. Eliason</a></li> </ul> <p><b>Audio:</b></p> <ul style="list-style-type: none"> <li>• <a href="#">Fraudulent Drug Testing Amendments</a></li> </ul> <p><i>[Action: Rep. Perry made a motion to approve the draft legislation as a committee bill. PASSED unanimously.]</i></p>	
<b>Bill Title/Subject Matter:</b>	<b>Victim Rights Amendments</b>
Legislator(s) –Sponsor:	Rep. Steve Eliason
Interested Parties:	Kim Cordova, Commission on Criminal and Juvenile Justice Val Shupe, Chief Police Association
Code Reference:	2019FL-0088/004
<p><b>Description:</b> Rep Eliason presented language from a draft bill that allows investigations to be reviewed at the request of a victim and creates a review process. Discussion took place on clarifying the definition of “family members” and specific language of the draft bill. Ms. Cordova provided clarifying information on the function of the District Victim Right's Committee. Mr. Shupe expressed support for the draft bill.</p>	

**Meeting Materials:**

- [2019 Draft Legislation - Victim Rights Amendments - Rep. Eliason](#)

**Audio:**

- [Victim Rights Amendments](#)

*[Action: Rep. Perry made a motion to amend the word “initiated” to “requested” on line 22. PASSED unanimously. Rep. Redd made a motion to strike lines 33 and 34 of the draft bill. PASSED unanimously. Rep. Redd made a motion to approve the draft legislation, as amended, as a committee bill. PASSED unanimously.]*

<b>Bill Title/Subject Matter:</b>	<b>Justice Reinvestment Initiative Report</b>
Legislator(s) –Sponsor:	
Interested Parties:	Kim Cordova, Commission on Criminal and Juvenile Justice Sofia Nystrom. Commission on Criminal and Juvenile Justice
Code Reference:	

**Description:** Ms. Cordova and Ms. Nystrom gave a presentation on current justice policies.

**Meeting Materials:**

- [Current Criminal Justice Policies Presentation](#)

**Audio:**

- [Justice Reinvestment Initiative Report](#)

*[Action: No action, information only.]*

<b>Bill Title/Subject Matter:</b>	<b>Human Trafficking Amendments</b>
Legislator(s) –Sponsor:	Rep. Angela Romero
Interested Parties:	Dave Carlson, Utah Attorney General Office
Code Reference:	2019FL-0200/002

**Description:** Rep. Romero presented language from a draft bill that amends certain language regarding human trafficking and creates a first-degree felony offense for trafficking a vulnerable adult. The draft bill is a revisit from the 2018 General Session. H.B. 334, “Human Trafficking Amendments” [bill did NOT pass]. Mr. Carlson provided comments on the draft bill.

**Meeting Materials:**

- [2019 Draft Legislation – Human Trafficking Amendments – Rep. Romero](#)

**Audio:**

- [Human Trafficking Amendments](#)

*[Action: Rep. Hollins made a motion to approve the draft legislation as a committee bill. PASSED unanimously.]*

<b>Bill Title/Subject Matter:</b>	<b>BCI Reporting Amendments</b>
Legislator(s) –Sponsor:	
Interested Parties:	John Feinauer, Policy Analyst
Code Reference:	2019FL-0458/002

**Description:** Mr. Feinauer reported he worked closely with Bureau of Criminal Identification (BCI) and

the Courts on the draft legislation. The bill requires the clerk of the district court to report information on individuals mentally unfit to purchase firearms and to report those those who have protective orders to BCI so that BCI can document information into the National Instant Criminal Background Check System. The bill also makes technical changes.

**Meeting Materials:**

- [2019 Draft Legislation - BCI Reporting Amendments – Sen. Harper](#)

**Audio:**

- [BCI Reporting Amendments](#)

*[Action: Rep. Ward made a motion to approve the draft legislation as a committee bill. PASSED unanimously.]*

**JUDICIARY**

<b>Bill Title/Subject Matter:</b>	<b>Administrative Law Judges</b>
Legislator(s) –Sponsor:	
Interested Parties:	Rebecca Parr, DHRM Employment Labor Relations Director Tim Evans, DHRM Legal Compliance Review Manager
Code Reference:	

**Description:** Ms. Parr and Mr. Evans provided a report on the process of administrative law judges.

**Meeting Materials:**

- [Administrative Law Judges Handout](#)

**Audio:**

- [Administrative Law Judges](#)

*[Action: No action taken, information only.]*

<b>Bill Title/Subject Matter:</b>	<b>Pretrial Risk Assessments</b>
Legislator(s) –Sponsor:	
Interested Parties:	Jacey Skinner, Administrative Office of the Courts Judge Harmond, 7 <sup>th</sup> District Court Judge Farr, Justice Court Wayne Carlos, Utah Bailbond Association
Code Reference:	

**Description:** Ms. Skinner gave a presentation on the Pretrial Risk Assessment Tool (PSA) that was adopted in May 2018. Judge Harmond and Judge Farr provided information and views on the PSA. Mr. Carlos provided comments and concerns on the PSA that can be accessed in the audio recording below.

**Meeting Materials:**

- [Pretrial Risk Assessment Tool Presentation](#)

**Audio:**

- [Pretrial Risk Assessments](#)

*[Action: No action taken, information only.]*

<b>Bill Title/Subject Matter:</b>	<b>Indigent Defense Statutes</b>
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Legislator(s) –Sponsor:	Sen. Todd Weiler
Interested Parties:	Joanna Landau, Indigent Defense Commission Stewart Ralphs, Legal Aid Society Sage Jenkin, Utah Prisoner Advocate Network Jacey Skinner, Administrative Office of the Courts Anna Thomas, Voices for Utah Children Adam Troupe, Utah Association of Counties
Code Reference:	2019FL-0544/014
<p><b>Description:</b> Ms. Landau presented language from a draft bill that modifies provisions relating to indigent defense services. Specifically, the draft bill clarifies the code provisions that ensure indigent individuals receive representation. Mr. Ralphs provided information on pro-bono programs. Ms. Jenkin shared a personal experience and asked the committee a clarifying question. Ms. Thomas provided information and initial findings from a study looking at juvenile delinquency hearings. Ms. Skinner provided information on one section of the draft bill that defines “minor.” Mr. Troupe provided comments on the draft bill.</p> <p><b>Meeting Materials:</b></p> <ul style="list-style-type: none"> <li>• <a href="#">2019 Draft Legislation – Indigent Defense Amendments – Sen. Weiler</a></li> </ul> <p><b>Audio:</b></p> <ul style="list-style-type: none"> <li>• <a href="#">Indigent Defense Statutes</a></li> </ul> <p><i>[Action: Rep. McKell made a motion to approve the draft legislation as a committee bill and amend the definition of a minor into the bill. PASSED unanimously with the exception of Rep. Nelson voting nay.]</i></p>	
<b>Bill Title/Subject Matter:</b>	<b>Gambling Machines</b>
Legislator(s) –Sponsor:	Sen. Todd Weiler
Interested Parties:	
Code Reference:	2019FL-0324/004
<p><b>Description:</b> Sen. Weiler presented language from a draft bill that clarifies language on gambling machines. The issue of gambling programs originated from Bountiful Police, who reached out to Sen. Weiler. The draft bill is a revisit from the 2018 General Session. S.B. 225, “Gambling Amendments” [bill did NOT pass].</p> <p><b>Meeting Materials:</b></p> <ul style="list-style-type: none"> <li>• <a href="#">2019 Draft Legislation – Gambling Machines Amendments – Sen. Weiler</a></li> </ul> <p><b>Audio:</b></p> <ul style="list-style-type: none"> <li>• <a href="#">Gambling Machines</a></li> </ul> <p><i>[Action: Sen. Weiler made a motion to amend on line 61 and 114, to insert “birth date” as an addition to the draft bill. PASSED unanimously. Sen. Weiler made a motion to approve the draft legislation as a committee bill. PASSED unanimously with the exception of Rep. Green and Rep. Roberts voting nay.]</i></p>	
<b>Bill Title/Subject Matter:</b>	<b>Grand Juries</b>
Legislator(s) –Sponsor:	Rep. Merrill Nelson
Interested Parties:	William Carlson, Deputy District Attorney for Salt Lake County Jacey Skinner, Administrative Office of the Courts

	Dave Carlson, Utah Attorney's General Office Steve Burton, Utah Association of Criminal Defense Lawyers
Code Reference:	2019FL-0529/009
<p><b>Description:</b> Rep. Nelson presented language from a draft bill that modifies provisions related to grand juries. Current grand jury process involves a five-member judge panel that travels around the state, listens to cases, and decides if a grand jury is necessary. The draft bill would appoint a judge in each district to review requests for a grand jury, the draft bill also outlines elements that constitutes "good cause." Mr. W. Carlson provided support and comments for the draft bill. Ms. Skinner provided information on the current grand jury process. Mr. D. Carlson provided comments on the current grand jury process and support to the draft bill. Mr. Burton provided views on the draft bill.</p> <p><b>Meeting Materials:</b></p> <ul style="list-style-type: none"> <li>• <a href="#">2019 Draft Legislation – Grand Jury Process Amendments – Rep. Nelson</a></li> </ul> <p><b>Audio:</b></p> <ul style="list-style-type: none"> <li>• <a href="#">Grand Juries</a></li> </ul> <p><i>[Action: Rep. Nelson made a motion to approve the draft legislation as a committee bill. DID NOT PASS, Rep. Nelson and Rep. Green voted ay, the rest of the committee voted nay.]</i></p>	
<b>Bill Title/Subject Matter:</b>	<b>Unreasonable Search and Seizures</b>
Legislator(s) –Sponsor:	Rep. Hall
Interested Parties:	
Code Reference:	
<p><b>Description:</b> Rep. Hall discussed opening a bill fill to explore unreasonable search and seizures. The new bill fill is a modification of the 2018 General Session. H.J.R. 9, "Proposal to Amend Utah Constitution – Unreasonable Search and Seizures" [did NOT pass].</p> <p><b>Audio:</b></p> <ul style="list-style-type: none"> <li>• <a href="#">Unreasonable Search and Seizures</a></li> </ul> <p><i>[Action: Rep. Hall made a motion to open a bill file, and draft a bill to explore search and seizures, protecting electronic data and communications in statute rather than a constitutional amendment, PASSED unanimously.]</i></p>	
<b>HEALTH AND HUMAN SERVICES</b>	
<b>Bill Title/Subject Matter:</b>	<b>Medical Cannabis</b>
Legislator(s) –Sponsor:	<b>Speaker Hughes</b>
Interested Parties:	Connor Boyack, Representing Utah Patients Coalition Laura Bunker, Family Policy Resource Stan Rasmussen, Sutherland Institute Christine Stenquist, Together for Responsible Use and Cannabis Education (TRUCE) William Carlson, Deputy District Attorney for Salt Lake County Steven Beck, Patient Advocate Dr. Frodsham, Community Member Dr. Seiler, Community Member Cameron Diehl, Utah League of Cities and Towns Chief Tom Ross, Utah Chiefs of Police Association Gayle Ruzicka, Utah Eagle Forum

	Michelle McOmber, Utah Medical Association
Code Reference:	2019FL-4444/020
<p><b>Description:</b> Speaker Hughes presented language from a draft bill that would authorize expanded use of medical cannabis within the state. Speaker Hughes reported whether Prop 2 passes or fail, a special session will take place. Mr. Boyack provided a review of the language in the draft bill. Ms. Bunker and Mr. Rasmussen provided comments in support of the draft bill. Ms. Stenquist provided comments against the draft bill. Mr. Carlson provided comments of the draft bill. Mr. Beck provided support of the draft bill. Dr. Frodsham provided comments in support of the draft bill. Dr. Seiler provided comments of the draft bill. Mr. Diehl and Ms. Ruzicka provided concerns of the draft bill. Chief Ross and Ms. McOmber provided comments in support of the draft bill.</p> <p><b>Meeting Materials:</b></p> <ul style="list-style-type: none"> <li>• <a href="#">2019 Draft Legislation - Utah Medical Cannabis Act</a></li> <li>• <a href="#">Summary of bill - Utah Medical Cannabis Act</a></li> <li>• <a href="#">Unseen Marijuana Initiative Amendments Handout</a></li> </ul> <p><b>Audio:</b></p> <ul style="list-style-type: none"> <li>• <a href="#">Medical Cannabis</a></li> </ul> <p><i>[Action: No action taken, information only.]</i></p>	